

**INDIAN RIVER COUNTY, FLORIDA  
MEMORANDUM**

**TO:** Board of County Commissioners

**THROUGH:** John A. Titkanich, Jr., County Administrator  
Sean A. Lieske, Acting Public Works Director  
Kirstin Leiendecker, P.E., Assistant Public Works Director

**FROM:** Mark Winslow, P.E., Project Engineer

**SUBJECT:** Award of Bid No. 2024006 and FDOT FM No. 440673-1-58-01 Local Agency Program (LAP) Supplemental Agreement No. 1 and Resolution Authorizing the Chairman’s Signature for the Trans-Florida Railway Trail from Fellsmere to West of I-95

**DATE:** October 9, 2023

**DESCRIPTION AND CONDITIONS**

On May 16, 2023, the Board of County Commissioners approved Local Agency Program (LAP) Agreement FM No. 440673-1-58-01 with the Florida Department of Transportation (FDOT) for the construction of the Trans-Florida Railway Trail from Fellsmere to West of I-95 to provide \$865,885.00 reimbursement for eligible construction costs. The trail consists of a coquina base and an asphalt surface, approximately 1.4 miles long that will include some drainage improvements and trail signage. It will run within an abandoned railroad line from the City of Fellsmere to west of I-95 at the terminus of the Pedestrian Overpass.

The FDOT has requested that Indian River County execute and deliver to the FDOT the attached LAP Supplemental Agreement No. 1 to increase the original grant amount of \$865,885.00 by \$109,613.00 for construction costs to \$975,498.00, as well as a Resolution authorizing the Board of County Commissioners to execute FDOT LAP Supplemental Agreement No. 1. The County’s portion will decrease to \$122,001.00.

A bid opening for project was held on October 4, 2023. Five (5) responsive bids were received and announced during a public meeting. A detailed bid tabulation is on file and available for viewing in the Public Works Engineering Division. Bid totals are as follows:

| <b>COMPANY</b>   | <b>BID</b>      |
|--|-----------------|
| <b>Timothy Rose Contracting, Inc.,</b> Vero Beach, FL                              | \$1,097,499.00* |
| <b>Dickerson Infrastructure, Inc. dba Dickerson Florida, Inc.,</b> Fort Pierce, FL | \$1,172,962.50  |
| <b>Jobear Contracting, Inc.,</b> Palm Bay, FL                                      | \$1,199,694.78  |
| <b>M &amp; M Asphalt Maintenance Inc. dba All County Paving,</b> Delray Beach, FL  | \$1,256,000.00* |
| <b>Cathcart Construction Company – Florida, LLC,</b> Winter Springs, FL            | \$1,682,582.00* |

\*Denotes mathematical error on bid form corrected

Staff completed a detailed comparison of the bids received and the estimated costs for the project, and found the lowest bid submitted to be feasible. FDOT has concurred that Timothy Rose Contracting, Inc. is considered to be the lowest, responsive, responsible bidder for the project with a bid totaling \$1,097,499.00, which is \$264,480.60 above the Engineer's Cost Estimate of \$833,018.40. Timothy Rose Contracting, Inc. has completed various projects for the County in a satisfactory manner.

### **FUNDING**

Per the LAP grant agreement, the County must fund the project and then request reimbursement of the grant share from FDOT to a maximum amount of \$865,885.00 of the total cost for the project. Funding for the project is programmed in the 2023 Capital Improvement Element.

| <b>Account Description</b>                         | <b>Account Number</b> | <b>Amount</b>  |
|--|-----------------------|----------------|
| Optional Sales Tax/Trans Florida Greenway<br>PH II | 31521441-066510-21035 | \$1,097,499.00 |

### **RECOMMENDATION**

Staff recommends approval of FDOT LAP Supplemental Agreement No. 1 (FM No. 440673-1-58-01) and adopting the Resolution and authorizing the Chairman to sign FDOT LAP Supplemental Agreement No. 1.

Staff further recommends the project be awarded to Timothy Rose Contracting, Inc. in the amount of \$1,097,499.00 and recommends the Board approve the sample agreement and authorize the Chairman to execute said agreement after review and approval of both the agreement and required Public Construction Bond by the County Attorney as to form and legal sufficiency, and the receipt and approval of required insurance by the Risk Manager.

The Federal Highway Administration (FHWA) has issued an updated FHWA 1273, "Required Contract Provisions Federal-Aid Construction Contracts" and this update will be incorporated into the contract documents for the project.

### **ATTACHMENTS**

FDOT LAP Supplemental Agreement No. 1 – FM No. 440673-1-58-01  
Authorizing Resolution  
Sample Agreement

### **AGENDA ITEM FOR OCTOBER 31, 2023**